



Exercise 4.7

Using Case Studies



A variety of case studies can be used with this module to help participants apply concepts to real situations. You can use them in several different ways during a workshop—as background reading, to launch small group discussions, to compare themes, or to analyze various scenarios. You can pick one for everyone to work on, or you can assign groups to review different cases. Regardless of the method, you will probably want to focus participant discussion on key aspects of the case. Following are discussion questions that you may wish to use for each of the case studies that emphasize communication skills and opportunities.

Objectives: Participants will be able to do the following:

1. Analyze other successes and situations to understand communication challenges and opportunities.
2. Apply examples to their own communication challenges.

Materials:

Copies of case studies
Fact Sheet 4.11: Planning a Communication Program
Presentation 5

Time: 60 minutes

1. Choose the cases you wish to use for your training program and duplicate enough for everyone. You could ask everyone to read the same case and facilitate a large group discussion or ask small groups to discuss the same questions. Another strategy would be to ask small groups to read different cases and share their insights with others.
2. Following are sample questions and some background information that will help you promote discussion. You can use these or modify them to suit your needs. **Presentation 5** includes images from many of these cases. If you use these cases to illustrate program development, you may wish to introduce **Fact Sheet 4.11: Planning a Communication Program**.

Case Study 1: The Challenge of Controversial Resource Issues: Southern Pine Beetle

- What are the concerns of forest managers?
- What are the concerns of homeowners?

- What might be the reasons for different responses to the SPB outbreaks in 1994 and 2001?
- What information about the audience would have been helpful to the resource professionals?
- What communication techniques seem to work well in this situation?
- What tone should the information convey to convince homeowners of the importance of the situation?

If you choose to distribute *Handouts 1* and *2* (Letters 1 and 2 to County Commissioners regarding the state of emergency), you could use the following questions:

- What are the advantages and disadvantages of a state of emergency?
- What are the strongest and weakest arguments in each letter?
- How were the letters designed to persuade readers? Which is most effective and why?

Case Study 4: Deer Debate in Hilton Head, South Carolina

- What are the interface issues? How does the interface exacerbate these issues?
- Why did community leaders want to involve the public in the decision?
- What was done to engage the public in the decision?
- What information would be helpful to know about the audiences?
- What communication techniques were used successfully?
- Try using the **Fact Sheet 4.11: Planning Communication Program** to develop an outreach campaign to help resolve this issue.

Case Study 9: Karst Habitat Restoration in Arkansas

- What was the concern and what is the interface connection?
- What is the purpose of KaRST?
- Why were stakeholders involved in the campaign?
- Why were participants invited to become team members?
- What challenges did the campaign encounter?
- What communication tips were used during the development of this program?
- Use **Fact Sheet 4.11: Planning Communication Program** to map out a campaign like this one for an interface issue in your area.

Case Study 12: Mediating for Change in Martin County, Florida

- What is the interface issue?
- What role could a natural resource professional play in this issue?
- Why was an outside mediator needed?
- Why were community meetings held?
- How is this process helping to resolve and prevent conflict?

Case Study 13: A Multi-Agency Initiative: Water Education in Kentucky

- What did the audience assessment reveal about water in Kentucky?
- Why are so many partners involved in this project?
- What is similar about the activities, what is different about the activities, and why?

- Use **Fact Sheet 4.11: Planning Communication Program** to design a program for one of the audiences.

Case Study 15: Outdoor Environmental Classrooms in Oklahoma

- What is the interface issue?
- Why are resource agencies promoting outdoor classrooms?
- What communication skills are probably at work in Oklahoma?
- Which steps in the outreach program planning process (**Fact Sheet 4.11: Planning Communication Program**) were probably taken?

Case Study 22: Working with Diverse Stakeholders in Newbirth, South Carolina

- What is the interface issue?
- Who are the stakeholders?
- What does each stakeholder want to gain or protect?
- Why is the USDA Forest Service involved?
- How should the Forest Service address this controversy?
- What communities in your region have similar challenges to Newbirth?

The most apparent issue here is how the Forest Service will position itself relative to the two opposing interests. This issue is further complicated by race and socioeconomic standing. Forest managers need to be aware of the history of sometimes tense race relations in the area. They should also be aware of the large income gap between the mostly white, middle-class population and the mostly poor, African American population. Nearly all elected officials, however, are African American, and they see their role as promoting economic growth in Newbirth.

Handout 1: Letter 1 to County Commissioners

Dear County Commissioners:

I am writing regarding a proclamation that you will be voting on at your August 14 meeting to request that the Florida Department of Agriculture and Consumer Services (FDACS) declare a state of emergency in Alachua County because of an outbreak of southern pine beetles. The proclamation is based on a recommendation from the Southern Pine Beetle Task Force. Declaring a state of emergency will authorize FDACS' Division of Forestry (DOF) to inspect private properties without permission and to require that property owners remove beetle-infested trees within 25 days of notification. If they do not comply, DOF will remove the trees at the property owner's expense. The Task Force made this recommendation to the Gainesville City Commission in July, who voted to forward such a request to FDACS. I have already sent a similar letter to the Gainesville City Commission.

I would like to express my professional opinion that this native insect outbreak does not constitute an emergency. As such, it does not warrant suspension of the Fourth Amendment right to protection against unreasonable search and seizure. I recommend that you consider the social and legal implications of such an action and that you vote against requesting state declaration of an emergency.

Please allow me to address certain scientific and legal aspects of the southern pine beetle issue, and to make suggestions that I hope will lead to well-informed decisions being made by this Commission.

The state legislature has given the Florida Department of Agriculture the statutory authority to declare an emergency if FDACS determines that a plant pest is a public nuisance or threatens agriculture in Florida. Under this statute, private property owners have no right to maintain a public nuisance if it occurs on their property. This statute does not require FDACS to provide scientific standards for declaring a nuisance. Instead, the definition of nuisance is based solely on the professional judgment of FDACS scientists and their consultants.

FDACS has declared emergencies to prevent establishment of a foreign insect, Mediterranean fruit fly, in Florida. "Med" fly larva would widely infest fleshy fruits and vegetables if this non-native insect species were to become established (without its natural enemies) in Florida. While FDACS' methods for eradication have been contested, the scientific basis for the program is sound. This non-native insect clearly poses a threat to agricultural in Florida.

FDACS has also declared emergencies to prevent establishment of citrus canker disease on the basis that it poses a threat to the citrus industry in Florida. When FDACS inspectors find citrus canker, as they did last year in South Florida, they declare an emergency and destroy all citrus trees, infested or not, within a zone around the infestation at the state's expense. As with the Mediterranean fruit fly, FDACS wants to prevent canker from establishing in Florida. Some scientists, however, believe that citrus canker is already well established in Florida, making these eradication measures futile. Consequently, South Floridians are pursuing challenges to the state's definition of canker as a nuisance and of the state's right to enter and destroy private property. FDACS has spent over \$1 million in state funds defending against these claims.

The Southern Pine Beetle Task Force would like you to request that FDACS declare an emergency to suppress the spread of southern pine beetles. The biological difference between this and the previous two cases is that the southern pine beetle is a native insect that has an array of natural enemies; it is not a foreign species such as Med fly that arrived without the natural enemies to keep it in check. Southern pine beetles co-evolved with pine trees. Their numbers increase when pine trees are weakened by drought or other environmental conditions. Their numbers decline as their natural enemies,

continued Handout 1

parasitic insects and wood-pecking birds, reduce their numbers. In the process, weaker pine trees die, healthier pine trees live, and populations of beneficial insects and birds are sustained. The cycle has repeated itself for millennia in the southeastern coastal plain.

I agree that this outbreak of southern pine beetles is unprecedented in recorded history. On the other hand, pine beetle outbreaks have been occurring in the region far longer than foresters have been recording them, and pine trees have survived. I do not doubt that southern pine beetles are killing pine trees in areas throughout north and central Florida, and that aggressive suppression measures may save some pine trees. It is at this point that I disagree with the Task Force. I do not believe that an outbreak of a native insect warrants mandatory suppression measures, at property owner's expense, imposed via a suspension of basic civil rights.

At this point I would like to make a few recommendations. First and most immediate, do not request that FDACS declare a state of emergency. Furthermore, encourage FDACS not to declare a state of emergency without your consent.

Next, assist the Southern Pine Beetle Task Force in funding an effective and timely voluntary suppression program. Even though I do not personally believe that this is the best use of public funds, I have come to respect the viewpoints of many whom I have listened to over the past two weeks who think it is important to try to suppress this beetle. Therefore, I would not argue with the continuation of the Task Force's voluntary suppression program. They have received excellent cooperation from the public, with 90 percent of property owners agreeing to remove infested trees. Instead of declaring an emergency because 10 percent of property owners are not cooperating, create incentives to increase cooperation such as covering all costs of treatment and removal in cases where property owners are not able to do so themselves.

Finally, consider the legal implications of exercising police powers to suppress a native insect. The Fourth Amendment of the U.S. Constitution protects citizens against unreasonable intrusion in our homes and enclosed yards. FDACS' search and seizure authority is based on a 1920's statute stating that non-criminal searches are outside the jurisdiction of the Fourth Amendment. However, this ruling was overturned in the 1960's when the U.S. Supreme Court ruled that any government intrusion is covered by the Fourth Amendment. FDACS' authority to search and seize appears to be obsolete.

The County Attorney's office in Dade has prepared complaints and legal memos challenging the state's antiquated authority to undertake search and seizure in the canker case. Complaints are being filed with the American Civil Liberties Union requesting that they consider a challenge against FDACS' authority to enter and seize private property. South Floridians are working with the Florida Justice Institute on parallel legal challenges on the search and seizure issue. My understanding is that Alachua County would be liable for damage claims under federal law if they were party to searches that were later determined to be a violation of civil rights. As elected officials it would seem prudent to request that the county attorney's office fully inform you on the legal climate prevailing in this area before you proceed further.

I appreciate your careful consideration of these matters.

Sincerely,

Marion Dawson*

**This is a pseudonym to preserve confidentiality.*

Handout 2: Letter 2 to County Commissioners

Dear County Commissioners:

During the past week Ms. Dawson * has written to the Alachua County and Gainesville City Commissioners and the Gainesville Sun to express her professional opinion regarding the "scientific and legal aspects" of the Southern Pine Beetle Suppression Program. As a professional forest entomologist, I feel that I must give you a brief response right away, even though I am in the midst of packing for a three-week trip away from our community.

Here are several key points bearing on the upcoming discussion:

- Most of the time the SPB is an uncommon and beneficial insect, being one of many species that exist as scavengers of dead and dying trees.
- The SPB is an unusual species in that populations occasionally explode to levels where mass attacks rapidly kill numerous healthy trees.
- Parent beetles spend about one week laying eggs in newly infested trees, then emerge to seek trees for producing second and third broods.
- The new generation of beetles emerges from the tree between 30 and 50 days after their parents infested the tree.
- Emerging beetles are capable of flying 2 miles in one day, although the majority probably attacks trees within 1/2 mile of where they develop.
- The rapid detection and treatment of SPB-infested pines, if done over areas of 10 square miles or more, will significantly decrease the duration and severity of the outbreak in the central portion of that area.
- Unmanaged outbreaks will likely expand for a year or more before changing weather and the numerical responses of natural enemies are able to initiate population decline. The decline may take an additional year, during which time thousands of additional pines may be attacked and killed.

Ms. Dawson correctly states that the SPB is a native insect that has coevolved with pines. Her statement that during outbreaks "weaker trees die, healthier pines live," however, is unfounded. Expanding beetle spots, like wildfires during the drought, will kill healthy trees as quickly as the weaker trees. Ask residents of the Kirkwood and Hammock subdivisions if only the weakest trees were infested as the SPB devastated their neighborhoods.

A few words about her statement that "beneficial insects and birds are sustained." These organisms that prey on the SPB have also coevolved as components of our native forests. They do not need high

SPB levels to sustain their species. Outbreaks definitely benefit some wildlife species, but are serious threats to some others such as the red-cockaded woodpecker and bald eagles that nest in living pines.

Now to answer the question, "Is an outbreak of a native insect a sufficient public nuisance to justify mandatory treatment of infested plants?" My answer, "Yes it is, sometimes." Clearly, an infestation of 500 trees in the middle of an industry's thousands of acres is a problem for the industry, but not for the public. In contrast, an infestation of 100 trees on a developer's 5 acres within the urban forest is a serious threat to the pines on many surrounding properties. The beetles emerging from each infested tree have the potential to infest 5 to 10 additional trees during their adult lifespan of 1 to 4 weeks. The objective of the SPB suppression program is find and treat recently infested trees so that the brood does not disperse and infest trees in the surrounding community.

Ms. Dawson points out that our community-wide suppression program has had excellent cooperation from more than 90% of the property owners. From this she deduces there is no need for mandatory treatments and recommends that more effort and funding be put into incentives for compliance. Unfortunately, too many of this small percentage of owners possess a large percentage of the infested trees. As indicated above, the failure of a few people to act responsibly can result in hundreds of surrounding trees being killed and thousands of dollars being spent to remove dead trees that threaten life and property.

This is probably a good point to state my belief that a Declaration of Emergency would not result in scores of plant inspectors trouncing through every back yard in our community. It would be too costly and is unnecessary. Unlike citrus canker where the bacterial pathogen infects plants long before symptoms are visible, the SPB infestation is detectable in a reasonably short time and only infested trees need to be treated. Most infestations in our urban area are detected and reported to the Division of Forestry by concerned citizens.

Here is some information unavailable to Ms. Dawson when she composed her statements regarding legal liabilities. On Friday, July 20, the Third District Court of Appeal ruled that the state could immediately resume removal of citrus canker-infected and exposed trees in the Miami area. My source for this information is an article in Saturday's Miami Herald, available online at <http://www.miami.com/herald/content/news/local/florida/digdocs/101582.htm>.

In closing, I would like to state that I am glad that Florida Statute 581 does not specify scientific standards for declaring a public nuisance. This is a political decision to be made by elected and appointed officials such as you. Such decisions, of course, should be based on relevant biological, economic, and sociological facts. I believe the facts clearly indicate that the current southern pine beetle outbreak is a serious public nuisance. I urge you to support the request by the Southern Pine Beetle Technical Advisory Committee to seek state control of infestations on the occasional property where owners do not take appropriate action within a reasonable time.

Sincerely,

Dr. Harold Saxton*

**These are pseudonyms to preserve confidentiality.*